

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

JAIME A CHAPA,

Petitioner,

VS.

NATHANIEL QUARTERMAN,

Respondent.

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CIVIL ACTION NO. C-07-207

**ORDER**

On October 5, 2007, this Court issued its “Order Granting Respondent’s Amended Motion for Summary Judgment and Dismissing Petition with Prejudice.” (D.E. 29.) In the Order, this Court dismissed Petitioner’s § 2254 habeas corpus petition on the grounds that (1) there is no federal constitutional right to credit for “street time” spent on parole prior to its revocation, see, e.g., Thompson v. Cockrell, 263 F.3d 423, 426 (5th Cir. 2001); and (2) Petitioner is not entitled to “street time” credit on his sentence pursuant to Texas law, see, e.g., Ex parte Ervin, 187 S.W.3d 386, 389 (Tex. Crim. App. 2005). On October 10, 2007, this Court entered Final Judgment pursuant to the October 5, 2007 Order.


On October 22, 2007, Petitioner filed “Objections” to the October 5, 2007 Order. (D.E. 31.) In his “Objections,” Petitioner argues that both this Court, and the Texas Court of Criminal Appeals in Ex Parte Ervin, erred in interpreting Texas law.

This Court treats Petitioner’s “Objections” as a motion for reconsideration pursuant to Federal Rule of Civil Procedure 59. See U.S. v. Davis, Crim. No. 01-282, 2007 WL 2480479, at \*1 (E.D. La., Aug. 29, 2007) (same). To succeed on a motion for reconsideration, a party must “clearly establish either a manifest error of law or fact or must present newly discovered evidence.” Ross v. Marshall, 426 F.3d 745, 763 (5th Cir. 2005) (quotation omitted).

Here, Petitioner asks the Court to reconsider the dismissal of his Petition based on the arguments already thoroughly addressed and rejected by this Court in the October 5, 2007 Order. (D.E. 29.) Petitioner has failed to satisfy any of the above-stated grounds for succeeding on a motion for reconsideration.

Therefore, for the reasons stated in the October 5, 2007 Order, Petitioner's "Objections" are DENIED. (D.E. 31.) This action remains closed.

SIGNED and ORDERED this 9th day of November, 2007.

  
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Janis Graham Jack  
United States District Judge